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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,091	12/19/2000	Florian Twinkwalder	00 P 7662US01	8861

7590

09/15/2004

Attn: Elsa Keller
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EXAMINER

NAJJAR, SALEH

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 09/15/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,091

Applicant(s)

TWINKWALDER ET AL.

Examiner

Saleh Najjar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. This is responsive to the application filed on December 9, 2000. Claims 1-20 are pending.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al., U.S. Patent No. 6,266,782.

Carter teaches the invention substantially as claimed including an apparatus and method for inband protocol correction in distributed object networking (see abstract).

As to claim 1, Carter teaches a system, comprising:

an H.323-compatible telecommunications program (see figs. 1-3; col. 4, lines 40-60; col. 5-6, Carter discloses H323 terminals); and

an error correction program adapted to receive user-selectable H.450 APDUs, provide said H.450 APDUs to said H.323-compatible telecommunications program, and receive corresponding H.450 APDUs from destination systems (see figs. 1-8; col. 7, lines 1-40; col. 9, lines 1-60; col. 13, lines 15-20, Carter discloses that H323 terminal uses H450 data units to determine errors and perform error correction).

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Carter does not explicitly teaches the limitation of a test program. Carter does teach that the H323 terminal includes an error correction program for determining whether other H323 terminals need to be version updated (see col. 5-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carter by specifying the error correction code as the test program since the same functionality of correcting protocol errors is achieved.

As to claim 2, Carter teaches the system in accordance with claim 1, said test program including a graphical user interface (GUI) adapted to allow a user to input predetermined H.225 messages (see col. 7, lines 1-45; col. 8, lines 1-10).

As to claim 3, Carter teaches the system in accordance with claim 2, said GUI adapted to allow a user to fill in H.225 information fields (see col. 7, lines 1-45; col. 8, lines 1-10).

As to claim 4, Carter teaches the system in accordance with claim 3, said GUI adapted to allow a user to input a predetermined network facility extension (see col. 9-12).

As to claim 5, Carter teaches the system in accordance with claim 4, said GUI adapted to display said H.225 message (see col. 7, lines 1-35).

Carter fails to teach the claimed limitation that said H225 message is displayed in an XML-like format.

However, "Official Notice" is taken that the concept and advantages of using XML format to represent GUI objects is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carter by specifying XML format for H225 message fields. One would be motivated to do so to allow for use of popular interactive browser extensions.

As to claim 6, Carter teaches a system comprising:
an H.450 client; and a error correction program adapted to allow a user to specify an H.225 message for sending to other systems(see figs. 1-8; col. 7, lines 1-40;

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col. 9, lines 1-60; col. 13, lines 15-20, Carter discloses that H323 terminal uses H450 data units to determine errors and perform error correction).

Carter does not explicitly teaches the limitation of a test program. Carter does teach that the H323 terminal includes an error correction program for determining whether other H323 terminals need to be version updated (see col. 5-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carter by specifying the error correction code as the test program since the same functionality of correcting protocol errors is achieved.

Claims 7-20 do not teach or define any new limitations above claims 1-6 and therefore are rejected for similar reasons.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157